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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,642	01/06/2005	Nuredin Kapaj	NOTAR-15US	9539

7663 7590 10/19/2005

STETINA BRUNDA GARRED & BRUCKER
75 ENTERPRISE, SUITE 250
ALISO VIEJO, CA 92656

EXAMINER

LIN, ING HOUR

ART UNIT	PAPER NUMBER
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1725

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/520,642

Applicant(s)

KAPAJ ET AL.

Examiner

Ing-Hour Lin

Art Unit

1725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2005 and 01 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
3. Claims 1-3, 5-7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over DE 19757704 in view of either Cofer et al or Yoshioka et al.

DE '704 (col. 2, lines 37+) teaches the claimed metal strip continuous casting plant, comprising: two counter-rotating rolls (1, 1') and inclined strip temperature regulation device 18 (see Fig. 2) below the rolls and comprising two temperature regulating panels 18, each panel including three gas conduits (gas 1-3) and a plurality of nozzle headers for spraying gas towards the strip 8.

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DE '704 fails to teach the use of uniform temperature control.

However, Cofer et al (col. 3, lines 37+) teach the use of uniform temperature control (col. 5, lines 65+ and Fig. 7) including a thermocouple 123 for the purpose of controlling uniform temperature of the strip (casting bar 16) along its length in a strip temperature regulation device (metal bar furnace 11) having refractory lining 49 for insulating and protecting the temperature regulation device (metal bar furnace 11) from heat attack. Yoshioka et al (col. 7, lines 18+) teach the use of uniform temperature control (col. 8, lines 31+ and Fig. 3) including thermometer 11 for the purpose of controlling uniform temperature of the steel strip 1 along its length (width) in a strip temperature regulation device (gas cooler panels 3). It would have been obvious to one having ordinary skill in the art to provide DE '704 the use of uniform temperature control as taught by either Cofer et al or Yoshioka et al in order to effectively control uniform temperature of the casting along its length in a strip temperature regulation device.

4. Claims 4, 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over DE 19757704 in view of either Cofer et al or Yoshioka et al and further in view of Kramer et al.

DE '704 in view of either Cofer et al or Yoshioka et al fails to teach the use of pivoting joint.

However, Kramer et al (col. 4, lines 55+) teaches the use of pivoting joint 15 (col. 7, lines 64+ and Fig. 3) for the purpose of controlling the strip temperature by varying the inclined angle between the strip 1 and temperature regulating panels (nozzle ribs 2a, 3b). It would have been obvious to one having ordinary skill in the art to provide DE '704 in view of either Cofer et al or

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Yoshioka et al the use of pivoting joint 15 as taught by Kramer et al in order to control the strip temperature by varying the inclined angle between the strip and temperature regulating panels.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ing-Hour Lin whose telephone number is (571) 272-1180. The examiner can normally be reached on M-F (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dunn can be reached on (571) 272-1171. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

I. H. Lin

I.-H. Lin

10-11-05

KEVIN KERNS
PRIMARY EXAMINER

Kevin Kerns 10/14/05